

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOULIHAN, LOKEY, HOWARD & ZUKIN, INC.,
and HLHZ INVESTMENTS, LLC,

Plaintiffs,

-against-

KENNETH A. WASIK,

Defendant.

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/5/08 *BN*

Case No. 07 CV 7030 (SHS)

ORDER GRANTING
PERMANENT INJUNCTION *BN*

CONSENT

Plaintiff Houlihan, Lokey, Howard & Zukin, Inc. ("Houlihan Lokey") having moved by order to show cause pursuant to Fed. R. Civ. P. 65(b) for, among other relief, a temporary restraining order and preliminary injunction as against defendant Kenneth A. Wasik ("Wasik"); and the Court having entered an Order dated August 7, 2007 (the "TRO") that, among other things, enjoined Wasik from using Houlihan Lokey's proprietary information and from transmitting or disclosing such information to third parties, directed Wasik to deliver all copies of such information in his possession to his attorneys, and required that Wasik's Macintosh computer remain in the possession of his computer forensics expert; the Court having entered an Order dated November 16, 2007 converting the TRO into a preliminary injunction; and the parties having agreed to the entry of a permanent injunction without further motion practice;

Now, therefore, the parties having conferred and agreed to the form of the permanent injunction to be entered against Wasik, it is hereby:

ORDERED that defendant Kenneth A. Wasik and all those acting in concert with him are hereby permanently enjoined from the following acts:

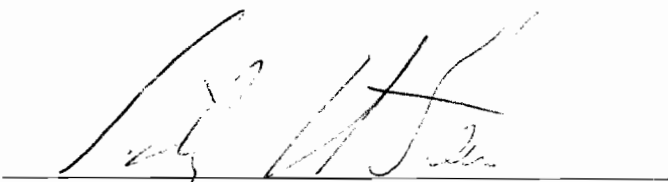
1. Using Houlihan Lokey's proprietary information in any way, including with Houlihan Lokey clients with whom Wasik dealt while employed by Houlihan Lokey;
2. Sending, transmitting or otherwise disclosing Houlihan Lokey's proprietary information to any third party by any means;
3. Gaining access to, viewing or otherwise obtaining -- by whatever means, including through requests to Apple Inc. -- any of the copies of Houlihan Lokey's electronic files, documents and other property that, in accordance with the TRO, were surrendered by Wasik to his counsel; and it is further

ORDERED that all of the copies of Houlihan Lokey's electronic files, documents and other property that were surrendered by Wasik to his counsel shall, upon the entry of this order, be destroyed by counsel or returned to Houlihan Lokey; and it is further

ORDERED that Wasik's Macintosh computer shall remain in the possession of his computer forensics expert, AON Risk Consulting ("AON") until such time as AON (i) expunges from the computer any of Houlihan Lokey's electronic files, documents and other property that remain on the computer, and (ii) represents to Wasik's counsel in writing, a copy of which shall be provided to Houlihan Lokey's counsel, that all such Houlihan Lokey materials have been expunged, at which time the computer may be returned to Wasik; and it is further

ORDERED that Houlihan Lokey's undertaking in the amount of \$10,000.00, filed on August 13, 2007, is hereby discharged.

Dated: New York, New York
February 4, 2008


UNITED STATES DISTRICT JUDGE